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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/802,375	03/09/2001	Nazir Ahmad	CPAC 1002-1US	8400

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EXAMINER

VU, QUANG D

ART UNIT PAPER NUMBER

2811

DATE MAILED: 05/13/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/802,375

Applicant(s)

AHMAD ET AL.

Examiner

Quang D Vu

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 14-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-17 are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5. 6) ☐ Other: \_\_\_\_

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## DETAILED ACTION

### *Election/Restrictions*

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1 - 13, drawn to method of making a chip package structure, classified in class 257, subclass 678.
- II. Claims 14 - 17, drawn to a chip package structure, classified in class 438, subclass 106.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the device of group II invention could be made by a materially different process. For example, the chip can be aligned with the substrate before providing the polymer adhesive instead of providing the polymer adhesive and then aligning the chip with the substrate.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

During a telephone conversation with Bill Kennedy on 05/01/2002 a provisional election was made with traverse to prosecute the invention of group II, claims 14-17. Affirmation of this election must be made by applicant in replying to this Office action. Claims 1-13 withdrawn

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from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 14 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 5,346,857 to Scharr et al.

Regarding claim 14, Scharr et al. teach a chip (26) having a bumps (28) formed thereon and a substrate (21) having interconnect points (22) on a metallization thereon, the bumps forming contacts with the interconnect points, wherein an alloy is formed at an interface between the material of each bump and the material of the interconnect in contact with the bump (see figure 2; column 3, line 54 – column 4, line 16).

Regarding claim 16, Scharr et al. teach the bump (28) material comprises gold and the interconnect points (22) comprise Sn, and the alloy at the interface comprises a Au/Sn alloy (see figure 2; column 3, line 54 – column 4, line 16).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,346,857 to Scharr et al. in view of US Patent No. 6,153,940 to Zakel et al.

Regarding claim 17, Scharr et al. do not explicitly teach the alloy at the interface is 20:80 Sn:Au alloy. However, Zakel et al. teach the alloy at the interface is a 20:80 Sn:Au alloy (column 4, lines 5-7). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to incorporate the teaching of Zakel et al. into the device taught by Scharr et al., since the alloy at the interface (20:80 Sn:Au alloy) is conventional.

5. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,346,857 to Scharr et al. in view of US Patent No. 6,326,234 to Nakamura.

Regarding claim 15, Scharr et al. do not teach a cured adhesive polymer is situated in a middle region between the bump surface of the chip and the surface of the substrate. However, Nakamura teaches a adhesive polymer is situated in a middle region between the bump surface of the chip and the surface of the substrate (see figures 3, 4). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to incorporate the teaching of Nakamura into the device taught by Scharr et al., since it is desirable securely to hold the chip and the substrate in place.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang D Vu whose telephone number is 703-305-3826. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Thomas can be reached on 703-308-2772. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

QVU  
May 6, 2002

QVU

Steven Loke  
Primary Examiner

*Steven Loke*